

**Department of Veterans Affairs**  
**Equal Employment Opportunity data Posted Pursuant to the No FEAR Act:**  
**Internal Complaint Activity**  
**VA-Wide**

29 CFR §1614.704(a) - ©	29 CFR §1614.705 Comparative Data					
Complaint Activity	Previous Fiscal Year Data					2013
	2008	2009	2010	2011	2012	
Number of Complaints Filed in FY 1614.704(a)	2118	2232	2199	2369	2347	2047
Number of Complainants 1614.704(b)	1947	2051	2083	2198	2165	1934
Repeat Filers 1614.704(c)	136	137	116	147	154	99

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					
Complaints by Basis	Previous Fiscal Year Data					2013
	2008	2009	2010	2011	2012	
Race	1450	1679	1566	873	873	721
Color	108	103	130	67	71	55
Religion	163	147	121	58	83	73
Reprisal	1654	1746	1767	869	923	865
Sex	1059	1152	1153	609	607	530
National Origin	329	308	347	187	207	166
Equal Pay Act	22	8	12	6	9	11
Age	858	1142	1042	590	578	494
Disability	1041	1040	1219	659	666	586
Other	0	0	0	0	0	0
Non-EEO						

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29 CFR §1614.704(e)	29 CFR §1614.705 Comparative Data					
Complaints by Issue	Previous Fiscal Year Data					2013
	2008	2009	2010	2011	2012	
Appointment/Hire	105	145	79	108	115	66
Assignment of Duties	184	139	154	131	128	101
Awards	37	24	32	18	20	18
Conversion to Full-time	1	2	1	1	1	0
<b>Disciplinary Action</b>	<b>331</b>	<b>365</b>	<b>342</b>	<b>350</b>	<b>410</b>	<b>305</b>
Demotion	10	17	11	15	23	15
Reprimand	60	51	59	57	59	58
Suspension	107	96	87	103	121	101
Removal	62	68	56	69	66	43
Other	92	133	129	106	141	88
Duty Hours	59	58	65	30	53	49
Evaluation Appraisal	124	95	146	171	182	161
Examination/Test	1	3	2	0	1	0
<b>Harassment</b>	<b>1445</b>	<b>1780</b>	<b>1734</b>	<b>1101</b>	<b>1175</b>	<b>1058</b>
Non-Sexual	1377	1672	1661	1019	1111	984
Sexual	68	108	73	82	64	74
Medical Examination	9	8	14	6	9	7
Pay (Including Overtime)	123	68	87	97	75	100
Promotion/Non-Selection	653	468	440	393	423	343
<b>Reassignment</b>	<b>79</b>	<b>78</b>	<b>88</b>	<b>77</b>	<b>80</b>	<b>77</b>
Denied						
Directed						
Reasonable Accommodation	117	113	131	172	170	186
Reinstatement	2	4	3	1	0	0
Retirement	23	24	30	31	24	22
Termination	191	289	273	225	174	130
Terms/Conditions of Employment	46	68	48	44	8	33
Time and Attendance	190	175	171	153	170	153
Training	55	60	63	69	72	49
Other	405	485	411	311	317	237

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<b>29 CFR §1614.704(f)</b>													
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."		Previous Fiscal Year Data										Num.	Ave. Days
		Num.	Ave. Days	Num.	Ave.D avs	2013							
		2008		2009		2010		2011		2012			
		All complaints pending in Investigative Stage	1614.704	552	117.4	510	101	571	116.5	564	114.9	751	124.6
All complaints pending in Final Agency Action Stage	(f) (1)	175	421.7	277	448.5	268	500.6	317	503.3	290	511.6	213	535.3
All complaints pending in which Hearing was not requested	1614.704												
	(f) (2)	548	259	267	407.7	261	483.7	301	472.6	276	494.7	197	507.0
Time in Investigation Stage		548	191.1	267	173.8	261	181.5	301	180.3	276	168.3	197	207.2
Time to issue Final Agency Action		548	68	425	75	506	*120	465	*125	527	*181	515	125
All complaints pending in which a Hearing was requested	1614.704												
	(f) (3)	291	201	1248	493	1367	554.3	1435	592.4	1521	622.2	1683	714.7
Time in Investigation Stage		291	193	1248	184	1367	181.8	1435	183.0	1521	183.2	1683	201.8
Time to issue Final Agency Action		291	8	322	14	365	14	439	15	399	13	320	14

*\* This figure includes the average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of 19 days; said delay computed from start of Final Action Stage [see Sec. 1614.702(g)] to receipt of investigative file in OEDCA. Actual processing time in OEDCA was 108 days.*

<b>29 CFR §1614.704(g)</b>	<b>29 CFR §1614.705 Comparative Data</b>					
Complaints Dismissed by Agency Pursuant to 1614.107(a)	Previous Fiscal Year Data					2013
	2008	2009	2010	2011	2012	
Total Complaints Dismissed by Agency	389	485	418	556	423	345
Average days pending prior to dismissal	54.25	53.5	48.7	49.3	57.3	61.4

<b>29 CFR §1614.704(h)</b>	<b>29 CFR §1614.705 Comparative Data</b>					
Complaints Withdrawn by Complainants	Previous Fiscal Year Data					2013
	2008	2009	2010	2011	2012	
Total Complaints Withdrawn by Complainants	203	184	178	203	222	62

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29 CFR §1614.704(i)	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2013	
	2008		2009		2010		2011		2012			
Total Final Agency Actions Finding Discrimination	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	24	100	22	100	33	100	33	100%	41	100%	36	100%
Without Hearing 704(h)(2)	12	50%	6	27%	10	30%	10	30%	15	37%	20	56%
With Hearing 704(h)(3)	12	50%	16	73%	23	70%	23	70%	26	63%	16	44%

29 CFR §1614.704(j)	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2013	
	2008		2009		2010		2011		2012			
Findings of Discrimination Rendered by Basis	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(j)(1)	24	100	22	100	33	100%	33	100%	41	100%	36	100%
Race	5	17%	2	9%	6	18%	3	9%	3	7%	4	11%
Color	1	6%			1	3%	1	3%	1	2%		
Religion					0	0%	1	3%			2	6%
Reprisal	14	58%	9	41%	14	42%	14	42%	15	37%	13	36%
Sex	4	17%			8	24%	6	18%	10	24%	7	19%
National Origin	1	6%			2	6%					2	6%
Equal Pay Act					0	0%						
Age	1	6%	4	18%	5	15%	2	6%	3	7%	1	3%
Disability	4	17%	8	36%	7	21%	11	33%	19	46%	9	25%
Non-EEO					0	0%						

29 CFR §1614.704(j)	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2013	
	2008		2009		2010		2011		2012			
Findings of Discrimination Rendered by Basis	#	%	#	%	#	%	#	%	#	%	#	%
Number Findings Rendered After Hearing 704(j)(3)	12	50%	16	73%	23	70%	23	70%	26	63%	16	44%
Race	4	80%	2	100%	5	83%	3	100%	2	67%	2	50%
Color					1	100%	1	100%	1	100%		
Religion					0	0%					1	50%
Reprisal	7	50%	8	89%	8	57%	11	79%	12	75%	5	38%
Sex			1	50%	4	50%	5	83%	7	70%	4	57%
National Origin					2	100%					1	50%
Equal Pay Act					0	0%						
Age	1	100%	4	100%	4	80%	2	100%	2	67%	1	100%
Disability	1	25%	4	50%	5	71%	4	36%	13	62%	2	22%
Non-EEO					0	0%						

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29 CFR §1614.704(j)  Findings of Discrimination Rendered by Basis	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2013	
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(j)(1)</b>	24		6	27%	33	100%	33	100%	41	100%	36	100%
<b>Number Findings Rendered Without Hearing 704(j)(2)</b>	12	50%			10	30%	10	70%	15	37%	20	56%
Race	1	20%			1	17%			1	33%	2	50%
Color	1	100%			0	0%						
Religion					0	0%	1	100%			1	50%
Reprisal	7	50%	1	11%	6	43%	3	21%	4	25%	8	62%
Sex			1	50%	4	50%	1	17%	3	30%	3	43%
National Origin	1	100%			0	0%					1	50%
Equal Pay Act					0	0%						
Age					1	20%			1	33%		
Disability	3	75%	4	50%	2	29%	7	64%	8	38%	7	78%
Non-EEO					0	0%						

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Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2013	
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(k)(1)</b>	24	100%	22	100%	33	100%	33	100%	41	100%	36	100%
Appointment/Hire			1	5%	1	3%			2	5%	1	3%
Assignment of Duties	1	4%	1	5%	3	9%	2	6%	1	2%	1	3%
Awards					1	3%	1	3%	1	2%		
Conversion to Full-time					0	0%	1	3%				
Disciplinary Action	2	8%			0	0%					2	6%
Demotion					0	0%	1	3%				
Reprimand					0	0%			1	2%		
Suspension	2	8%			3	9%	5	15%			1	3%
Removal					0	0%			1	2%	1	3%
Other					0	0%	1	3%	1	2%		
Duty Hours					0	0%					1	3%
Evaluation Appraisal	1	4%			2	6%	2	6%	2	5%	1	3%
Examination/Test	1	4%			0	0%						
Harassment	6	25%			0	0%					12	33%
Non-Sexual	3	12%	1	5%	5	15%	4	12%	6	15%	6	17%
Sexual	3	12%	2	9%	4	12%	3	9%	4	10%	6	17%
Medical Examination	1	4%	1	5%	0	0%	2	6%	1	2%		
Pay (Including Overtime)					0	0%	1	3%			2	6%
Promotion/Non-Selection	3	12%	6	27%	12	36%	6	18%	8	20%	3	8%
Reassignment	4	17%			0	0%					1	3%
Denied					1	3%					1	3%
Directed	4	17%			1	3%			2	5%		
Reasonable Accommodation	4	17%	2	9%	3	9%	8	24%	10	24%	10	28%
Reinstatement					1	3%						
Retirement					0	0%						
Termination	5	21%	1	5%	4	12%	3	9%	2	5%	4	11%
Terms/Conditions of Employment					1	3%						
Time and Attendance	1	4%	1	5%	1	3%	2	6%	2	5%		
Training			1	5%	0	0%						
Other	6	25%	5	23%	8	24%	4	12%	7	17%	4	11%

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	Previous Fiscal Year Data										2013	
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Findings After Hearing 704(k)(3)</b>	12	50%	16	73%	23	100%	23	70%	26	63%	36	100%
Appointment/Hire					1	100%					1	100%
Assignment of Duties			1	100%	3	100%	1	50%	1	100%		
Awards					1	100%	1	100%	1	100%		
Conversion to Full-time					0	0%	1	100%				
Disciplinary Action	1	50%			0	0%					2	100%
Demotion					0	0	1	100%				
Reprimand					0	0%			1	100%		
Suspension	1	50%			2	67%	4	80%			1	100%
Removal					0	0%			1	100%	1	100%
Other					0	0%	1	100%				
Duty Hours					0	0%					1	100%
Evaluation Appraisal	1	100%			2	100%	2	100%	2	100%		
Examination/Test					0	0%						
Harassment					0	0%					5	42%
Non-Sexual					2	40%	3	75%	5	83%	2	33%
Sexual			1	50%	0	0%	2	67%	2	50%	3	50%
Medical Examination					0	0%	1	50%	1	100%		
Pay (Including Overtime)					0	0%					2	100%
Promotion/Non-Selection	3	100%	6	100%	12	100%	6	100%	6	75%	3	100%
Reassignment	2	50%			0	0%						
Denied					1	100						
Directed	2	50%			0	0%			1	50%		
Reasonable Accommodation	1	25%			1	33%	3	38%	4	40%	2	20%
Reinstatement					1	100%						
Retirement					0	0%						
Termination	3	60%	1	100%	0	0%	2	67%	1	50%	3	75%
Terms/Conditions of Employment					1	25%						
Time and Attendance	1	100%	1	100%	1	100%	2	100%	2	100%		
Training			1	100%	0	0%						
Other	3	50%	5	83%	5	63%	2	50%	4	57%	1	25%

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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data											
Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2013	
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(k)(1)</b>	12	50%	22		33	100%	33	100%	41	100%	36	100%
<b>Findings Without Hearing 704(k)(2)</b>			6	27%	10	30%	10	30%	15	37%	20	56%
Appointment/Hire			1	100%	0	0%			2	100%		
Assignment of Duties					0	0%	1	50%			1	100%
Awards					0	0%						
Conversion to Full-time					0	0%						
Disciplinary Action	1	50%			0	0%						
Demotion					0	0%						
Reprimand					0	0%						
Suspension	1	50%			1	33%	1	20%				
Removal					0	0%						
Other					0	0%			1	100%		
Duty Hours					0	0%						
Evaluation Appraisal					0	0%					1	100%
Examination/Test	1	100%			0	0%						
Harassment	6	100%			0	0%					7	58%
Non-Sexual	3	100%			3	60%	1	25%	1	17%	4	67%
Sexual	3	100%	1	50%	4	100%	1	33%	2	50%	3	50%
Medical Examination			1	100%	0	0%	1	50%				
Pay (Including Overtime)					0	0%	1	100%				
Promotion/Non-Selection					0	0%			2	25%		
Reassignment	2	50%			0	0%					1	100%
Denied					0	0%						
Directed	2	50%			1	100%			1	50%	1	100%
Reasonable Accommodation	3	75%	2	100%	2	67%	5	63%	6	60%	8	80%
Reinstatement					0	0%						
Retirement					0	0%						
Termination	2	40%			0	0%	1	33%	1	50%	1	25%
Terms/Conditions of Employment					3	75%						
Time and Attendance					0	0%						
Training					0	0%						
Other	3	50%	1	17%	3	37%	2	50%	3	43%	3	75%

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29 CFR §1614.704(l)	29 CFR §1614.705 Comparative Data					
Complaints Pending From Previous Fiscal Years by Status	Previous Fiscal Year Data					2013
	2008	2009	2010	2011	2012	
Total complaints from previous Fiscal Years 704(l)(1)	581	862	1079	1203	1325	1590
Total Complainants 704(l)(2)	527	783	969	1078	113	1403
<b>Number complaints pending: 704(l)(3)</b>						
Investigation	0	4	2	2	7	3
ROI issued, pending Complainant's action	5	10	7	7	9	6
Hearing	509	706	892	946	1056	1353
Final Agency Action	51	119	132	157	134	111
Appeal with EEOC Office of Federal Operations	16	23	46	91	119	116

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					
Complaint Investigations	Previous Fiscal Year Data					2013
	2008	2009	2010	2011	2012	
Number Pending Completion of Investigation	549	508	571	565	750	817
Pending Investigations Over Required Time Frames	38	14	24	15	45	180